

1 economy). Further, a party is not entitled as of right to *de novo* review of evidence or
2 arguments which are raised for the first time in an objection to the R&R, and the Court's
3 decision to consider them is discretionary. *United States v. Howell*, 231 F.3d 615, 621-622
4 (9th Cir. 2000).

5 The Court has carefully undertaken an extensive review of the sufficiently
6 developed record. The Petitioner's objections to the findings and recommendations have
7 also been thoroughly considered.

8 After conducting a *de novo* review of the issues and objections, the Court reaches
9 the same conclusions reached by the Magistrate Judge. The R&R will be adopted in full.
10 Accordingly,

11 **IT IS ORDERED:**

12 1. That the Magistrate Judge's Report and Recommendation (Doc. 12) is
13 **accepted** and **adopted** by the Court.

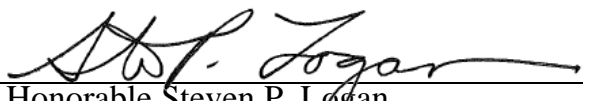
14 2. That the Petitioner's Objections (Doc. 13) are **overruled**.

15 3. That the Petition for Writ of Habeas Corpus (Doc. 1) is **denied** and this action
16 is **dismissed with prejudice**.

17 4. That a Certificate of Appealability and leave to proceed *in forma pauperis*
18 on appeal are **denied** because the dismissal of the Petition is justified by a plain procedural
19 bar and reasonable jurists would not find the ruling debatable; and

20 5. That the Clerk of Court shall enter judgment according and terminate this
21 action.

22 Dated this 22nd day of February 2024.

23
24 
25 Honorable Steven P. Logan
26 United States District Judge
27
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